


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

JUL 17 2019

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

WAYNE B.,

Plaintiff

v.

ANDREW SAUL,  
Acting Commissioner of Social  
Security,

Defendant.

Case No. 7:18-cv-0070

By: Michael F. Urbanski  
Chief United States District Judge

**ORDER**

This matter was referred to the Honorable Robert S. Ballou, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on June 25, 2019, recommending that the plaintiff's motion for summary judgment be granted in part, the Commissioner's motion for summary judgment be denied, and the case be remanded for further consideration by the Administrative Law Judge. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety.

As such, it is hereby **ORDERED** that:

1. The report and recommendation (ECF No. 19) is **ADOPTED** in its entirety;
2. Plaintiff's motion for summary judgment (ECF No. 11) is **GRANTED** in part;
3. Defendant's motion for summary judgment (ECF No. 14) is **DENIED**;

4. This case is **REMANDED** to the Commissioner pursuant to sentence six of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **DISMISSED** and **STRICKEN** from the active docket of the court.

Entered: 07-17-19

*/s/ Michael F. Urbanski*

Michael F. Urbanski  
Chief United States District Judge